

TRANSPORTATION DEPARTMENT[761]

Notice of Intended Action

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 307.12 and 307A.2, the Iowa Department of Transportation hereby gives Notice of Intended Action to amend Chapter 922, “Federal Transit Assistance,” Iowa Administrative Code.

The proposed amendment to this chapter:

- Reflects the current federal transit program names and updates or includes descriptions of these federal transit funding sources that the Department receives for distribution. Program names and United States Code sections for the former Section 16 and Section 18 of the Federal Transit Act have been updated: Section 16 is renamed Section 5310 and Section 18 is renamed Section 5311. A new paragraph to subrule 922.1(1) detailing the transit capital funding source, Section 5339, has also been added.
- Updates who is designated by the Governor to administer these federal programs that are subject to review by the Federal Transit Administration (FTA). The Department is responsible for the administration of these transit programs rather than the Transportation Commission. The Transportation Commission’s role is to award funds from these programs when they are not allocated by formula.
- Makes changes to the subrule concerning the state management plan to reflect the current federal transit programs and current name and date of the Iowa state management plan, to correct the relevant FTA circulars, and to update the Department’s contact information to include the correct office name and add a telephone number and a website address.

These rules do not provide for waivers. Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Any person or agency may submit written comments concerning this proposed amendment or may submit a written request to make an oral presentation. The comments or request shall:

1. Include the name, address, and telephone number of the person or agency authoring the comments or request.
2. Reference the number and title of the proposed rule, as given in this Notice, that is the subject of the comments or request.
3. Indicate the general content of a requested oral presentation.
4. Be addressed to Tracy George, Rules Administrator, Iowa Department of Transportation, Strategic Communications and Policy, 800 Lincoln Way, Ames, Iowa 50010; email: tracy.george@iowadot.us.
5. Be received by the Department’s rules administrator no later than January 23, 2018.

A meeting to hear requested oral presentations is scheduled for Thursday, January 25, 2018, at 11 a.m. in the Administration Building, First Floor, North Conference Room, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa.

The meeting will be canceled without further notice if no oral presentation is requested.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 324A.4 and 324A.6.

The following amendment is proposed.

Amend rule 761—922.1(324A) as follows:

761—922.1(324A) Projects for nonurbanized areas and private nonprofit transportation providers.

922.1(1) General information.

~~a. Section 18 of the Federal Transit Act established a program of federal financial assistance for support of public transportation projects in areas outside urbanized areas of 50,000 or more population as defined by the U.S. Census Bureau.~~

~~b. a. Section 16 of the same Act~~ 5310 of Title 49 United States Code established the enhanced mobility of seniors and individuals with disabilities program, a program of federal financial assistance for support of capital acquisitions for private nonprofit providers of specialized transportation services for elderly seniors and handicapped persons with disabilities.

b. Section 5311 of Title 49 United States Code established the formula grants for rural areas program, a program of federal financial assistance for support of public transportation in rural areas with populations of less than 50,000, as defined by the U.S. Census Bureau.

c. Section 5339 of Title 49 United States Code established the bus and bus facilities program, a program of federal financial assistance for support of capital acquisitions for public transportation providers.

~~e. d.~~ As required by the Federal Transit Act Title 49 United States Code, the Iowa transportation commission department has been designated by the governor to administer both these programs within Iowa, subject to review by the Federal Transit Administration (FTA).

922.1(2) State management plan.

~~a. Sections 16 and 18~~ 5310, 5311 and 5339 of Title 49 United States Code federal transit assistance programs within Iowa shall be administered according to “Iowa’s the “Iowa State Management Plan for the Section 16 and 18 FTA Programs Administration of Funding and Grants Under the Federal Transit Administration, Sections 5310, 5311, 5316, 5317 and 5339 Programs,” dated July 1, 1993 March 2017, which has been prepared by the department and approved by the Federal Transit Administration in conformance with FTA Circulars ~~9040 and 9070.1C~~ 5100.1, 9040.1G and 9070.1G.

b. Copies of the state management plan are available upon request from: Air and Transit Division the Office of Public Transit, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515)233-7870; or the department’s website at www.iowadot.gov.

This rule is intended to implement Iowa Code chapter 324A.